

## UNITED STATES DISTRICT COURT

FOR THE

District of

MASSACHUSETTS

TONY B. GASKING, ET AL.

Plaintiff

V.

APPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF  
FEES AND AFFIDAVIT

KATHLEEN DENNEHY, ET AL.

Defendant

CASE NUMBER: 05-CV-11230-JLT

I, CHARLIE B. O'DWYER declare that I am the (check appropriate box)☒ petitioner/plaintiff/movant☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Part 2)

If "Yes," state the place of your incarceration

M.C.I. Cedar Junction 17 + Walpole

Are you employed at the institution? NO

Do you receive any payment from the institution? NO

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have you received any money from any of the following sources?

- |   |                              |  |
|---|------------------------------|--|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends           | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments    | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances                          | <input type="checkbox"/> Yes | <input type="checkbox"/> No            |
| f. Any other sources                              | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

AO 240 Reverse (Rev. 10/03)

ON Q#3(E) I receive money FROM MY MOM  
& MY AUNT... FROM time to time  
FOR Canteen.

4. Do you have any cash or checking or savings accounts?

☒ Yes

☒ No

If "Yes," state the total amount. 603.94 IN MY ACCOUNT (PRISON ACCOUNT)

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes," describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

At least once a year,  
for the Holiday & B-DAY  
MY DAUGHTER ARIANA PREVOST.

I declare under penalty of perjury that the above information is true and correct.

7/20/05

Date

[Signature]

Signature of Applicant

**NOTICE TO PRISONER:** A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF CORRECTION

Inmate Transaction Report

Date : 20050718 09:09

Page : 2

Commit# : W61796  
Name : ODVARE, CARL, ,  
Inst : MCI CEDAR JUNCTION  
Block : DEPARTMENT DISCIPLINARY UNIT  
Cell/Bed : 232 / A

MCI CEDAR JUNCTION

Statement From 20050101

To 20050718

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Income	Personal Expense	Savings Income	Savings Expense
20050712 08:33	MA - Maintenance and Administration	4912727		CJ	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20050713 16:51	IS - Interest	4924976		CJ		\$2.02	\$0.00	\$0.00	\$0.00
						\$321.63	\$306.40	\$0.00	\$0.00

Balance as of ending date :  
Personal \$603.94  
Savings \$0.00

Current Balances :

Personal	Savings	Freeze	Loan	Restitution	Sentence
\$603.94	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Inmate Transaction Report

Date : 20050718 09:09

Page : 1

Commit# : W61096  
Name : ODVARE, CARL, .  
Inst : MCI CEDAR JUNCTION  
Block : DEPARTMENT DISCIPLINARY UNIT  
Cell/Bed : 232 /A

MCI CEDAR JUNCTION  
Statement From 20050101  
To 20050718

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
Total Transaction before this Period :						\$1,651.17	\$1,062.46	\$25.50	\$25.50
20050113 17:06	IS - Interest	3981046		CJ		\$1.46	\$0.00	\$0.00	\$0.00
20050209 16:46	IS - Interest	4110175		CJ		\$1.62	\$0.00	\$0.00	\$0.00
20050210 08:33	ML - Mail	4132405		CJ	~LOUISE DUNN	\$30.00	\$0.00	\$0.00	\$0.00
20050210 08:33	MA - Maintenance and Administration	4132406		CJ	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20050214 13:55	EX - External Disbursement	4144609	33629	CJ	~MAGAZINE-AMERICAN CURVES	\$0.00	\$20.00	\$0.00	\$0.00
20050221 22:30	CN - Canteen	4174094		CJ	~Canteen Date : 20050221	\$0.00	\$14.80	\$0.00	\$0.00
20050228 22:30	CN - Canteen	4204879		CJ	~Canteen Date : 20050228	\$0.00	\$14.80	\$0.00	\$0.00
20050302 11:23	EX - External Disbursement	4214500	33814	CJ	~NICOLE LEAVITTS	\$0.00	\$125.00	\$0.00	\$0.00
20050302 11:23	MA - Maintenance and Administration	4214501		CJ	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20050307 22:30	CN - Canteen	4240608		CJ	~Canteen Date : 20050307	\$0.00	\$14.80	\$0.00	\$0.00
20050314 22:30	CN - Canteen	4273342		CJ	~Canteen Date : 20050314	\$0.00	\$14.80	\$0.00	\$0.00
20050315 16:52	IS - Interest	4281313		CJ		\$1.65	\$0.00	\$0.00	\$0.00
20050328 22:30	CN - Canteen	4352807		CJ	~Canteen Date : 20050328	\$0.00	\$14.80	\$0.00	\$0.00
20050329 08:18	ML - Mail	4355003		CJ	~LOUISE DUNN	\$40.00	\$0.00	\$0.00	\$0.00
20050404 22:30	CN - Canteen	4387215		CJ	~Canteen Date : 20050404	\$0.00	\$14.80	\$0.00	\$0.00
20050408 16:47	IS - Interest	4421289		CJ		\$1.42	\$0.00	\$0.00	\$0.00
20050425 22:30	CN - Canteen	4502273		CJ	~Canteen Date : 20050425	\$0.00	\$14.80	\$0.00	\$0.00
20050429 09:41	ML - Mail	4527208	0801074188 I/M.O.	CJ	~ZACK ALLEN	\$120.00	\$0.00	\$0.00	\$0.00
20050429 09:41	MA - Maintenance and Administration	4527211		CJ	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20050502 22:30	CN - Canteen	4536319		CJ	~Canteen Date : 20050502	\$0.00	\$14.80	\$0.00	\$0.00
20050511 16:47	IS - Interest	4587731		CJ		\$1.49	\$0.00	\$0.00	\$0.00
20050523 22:30	CN - Canteen	4655805		CJ	~Canteen Date : 20050523	\$0.00	\$7.40	\$0.00	\$0.00
20050527 22:30	CN - Canteen	4684420		CJ	~Canteen Date : 20050527	\$0.00	\$14.80	\$0.00	\$0.00
20050531 08:29	ML - Mail	4686059		CJ	~LOUISE DUNN	\$50.00	\$0.00	\$0.00	\$0.00
20050531 08:29	MA - Maintenance and Administration	4686061		CJ	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20050606 22:30	CN - Canteen	4722295		CJ	~Canteen Date : 20050606	\$0.00	\$14.80	\$0.00	\$0.00
20050609 16:49	IS - Interest	4749616		CJ		\$1.97	\$0.00	\$0.00	\$0.00
20050621 08:48	ML - Mail	4809009		CJ	~ANNIE KING	\$20.00	\$0.00	\$0.00	\$0.00
20050621 08:48	MA - Maintenance and Administration	4809011		CJ	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20050712 08:33	ML - Mail	4912725		CJ	~ANNIE KING	\$50.00	\$0.00	\$0.00	\$0.00